

ATTACHMENT 2

Eastern Book Cliffs

November 2010

DESCRIPTION: Summary of both of the areas (external and internal) for the Eastern Book Cliffs within the BLM's Vernal MLP proposal.

The external proposal was submitted by The Wilderness Society, Southern Utah Wilderness Alliance (SUWA), Center for Native Ecosystems and Colorado Environmental Coalition on August 9, 2010.

The original Colorado-Utah MLP proposal contained approximately 847,484 acres, split roughly in half between the two states. However in late October following discussions with SUWA, the proposal was split at the state line and SUWA assumed responsibility for the Utah portion of the proposal and the Wilderness Society will be responsible for the Colorado portion. Utah's portion is 404,000 acres in northeastern Utah just south of the Dinosaur Lowlands (external) MLP proposal and shares about 35 miles of border with Colorado, and is roughly 20 miles east-to-west.

The BLM Vernal MLP proposal includes a similar area that considered 272,736 acres in Utah with fewer areas on the northern and southern extremes of the external proposal but that generally considers the same area. BLM's proposal focuses on unleased lands and excludes leased lands already in production.

Potential resource issues raised in the MLP proposal include impacts from leasing to hunting experiences, sensitive species and other wildlife and plants, nominated and designated Areas of Critical Environmental Concern (ACEC) and Citizen Wilderness Proposals (CWP). The MLP proposal describes concerns for greater sage-grouse habitat, Graham's penstemon occurrences, raptor habitat, along with other native species. The external proponents also indicate that the area contains seven CWP areas (Bitter Creek, Dragon Canyon, Sweetwater Canyon, Hells Hole Canyon, Lower Bitter Creek, Sunday School Canyon and Seep Canyon), and one area that was previously considered formally and not designated as an ACEC (Main Canyon).

The Utah BLM has found that the Vernal Field Office Record of Decision and Approved Resource Management Plan (RMP); dated October 31, 2008¹ (as maintained) addressed most of the above issues in the following ways.

The decisions within the Approved RMP were developed through an interdisciplinary process and extensive public participation including SUWA, the Wilderness Society and the Center for Native Ecosystems. Colorado Environmental Coalition was the only group that did not participate in the process and also did not protest the Vernal RMP. The RMP considered provisions of other state, county & federal plans. It also considered appropriate habitat management plans, endangered species recovery plans, and numerous activity plans and policies. All of the resource issues/values identified were addressed during the recent planning process.

¹ Accessed online at: http://www.blm.gov/ut/st/en/fo/vernal/planning/rmp/rod_approved_rmp.html.

Vernal MLP Proposal

The National Historic Preservation Act Section 106 consultation requirements were completed and the State Historic Preservation Office concurred with a No Adverse Effect to historic properties determination.

Likewise, the Endangered Species Act Section 7 consultation was based on appropriate surface disturbing activities and a Biological Assessment was completed. Effects determinations for each species are affirmed by the United States Fish and Wildlife Service (USFWS) in their Biological Opinion (BO) (RMP, Appendix N). The BO also includes conservation measures and notices for each species. Sensitive species and other wildlife specific stipulations/notices were developed in cooperation with the State of Utah's Division of Wildlife Resources (UDWR) and USFWS. The RMP details fluid mineral best management practices (RMP, Appendix R) and raptor best management practices (RMP, Appendix A) including map delineations (RMP, Figures 8a, 18a & 19a).

Additional special status species decisions in the RMP cover implementation/updating recovery plans & agreements, inventory & evaluate population/habitat status, the development of species specific plans, enhancement of special status species fish habitat, and specific provisions regarding specific species (including black footed ferret, blueheaded sucker, flannelmouth sucker, rountail chub, yellow-billed cuckoo, bald eagle, burrowing owl, short-eared owl, Mexican spotted owl, Ferruginous hawk, peregrine falcon, raptors, and greater sage-grouse) (RMP, pages 128-132).

Likewise, there are additional wildlife and fisheries decisions detailing habitat banking, predator control, blue ribbon fisheries, habitat fragmentation, migratory birds, habitat boundary adjustments, implementation/revision of habitat management plans, guzzlers, oil and gas workover operations, coordination/improvement, pronghorn requirements, fence modifications, big game habitats, raptors (nesting, electrocution & partnerships), bear baiting, grazing season of use or class of livestock changes, species reintroductions, forage allocations, and bison management (RMP pages 141- 146).

Management considerations in selecting the approved RMP included air quality, cultural resources, fire management, forage, lands & realty, livestock & grazing management, minerals & energy resources, non-WSA lands with wilderness characteristics, recreation & Special Recreation Management Areas, special designations (ACECs & Wild and Scenic Rivers), vegetation, travel (roads & trails), visual resource management, wild horses, and wildlife & fisheries resources.

Management protection was provided for the Main Canyon area [cultural, riparian and natural systems relevant and important (R&I) values] however an ACEC designation was deemed unnecessary and not made in the Approved RMP (Page 35). The cultural R&I values are protected by law, policy and procedures. Natural areas remain subject to the riparian area policy use restrictions. Main Canyon is already covered by a WSA designation (closed to oil and gas leasing) and managed under the Interim Management Policy which protects the R&I values of the area.

Non-WSA areas with wilderness characteristics were considered throughout the planning process. As discussed in the RMP (pages 32-34), areas not selected for the management of wilderness characteristics were found to have other important values including high potential for oil and gas development including leased acreages whereby wilderness characteristics could not be protected, maintained or preserved. Bitter Creek, Hells Hole and Lower Bitter Creek were not

carried forward as a BLM natural area. Each of these occurs within a high potential for oil and gas leasing area and the majority of the acreage is already leased.

BLM prepared a Supplement to the Draft Environmental Impact Statement (DEIS, 9/2007) which defines and updates the issues of wilderness characteristics and minerals management. Dragon Canyon, Sweetwater Canyon, Sunday School Canyon and Seep Canyon were each found to not contain wilderness character (Supplemental DEIS, Table 3.22.1). As such, additional provisions or special management is not warranted.

The Approved RMP (page 34-35) provides the greatest range of recreational opportunities while reducing user conflicts, providing recreation business opportunities, and protecting resources. Recreation uses (including hunting experiences) and oil and gas leasing and development were evaluated in the RMP and conflicts were addressed. Recreation activity within the area of the MLP was acknowledged but did not warrant the intensive management as required within special recreation management areas.

A listing of RMP protesting parties and a summary of issues are contained in the Director's Protest Resolution Report prepared on October 28, 2008². Challenges to the RMP were appropriately addressed during the planning process. RMP decisions were reviewed against the protest merits and specifically addressed non-WSA lands with wilderness characteristics, ACECs and wild and scenic river designations. For example, the SUWA (et al) protest claimed that BLM did not properly consider wilderness characteristics nominations and found fault with the boundary delineations made by BLM and therefore maintained that BLM ignored vital information. In his report, the Director affirmed BLM's wilderness character review process and stands firmly on its subsequent decisions regarding the selection and management of the non-WSA lands with wilderness characteristics.

² Accessed online at:

http://www.blm.gov/style/medialib/blm/wo/Planning_and_Renewable_Resources/utah.Par.64438.File.pdf/Vernal_RMP_Directors_Protest_Resolution_Report.pdf.